

ASSEMBLY BILL

No. 1412

Introduced by Assembly Member Torrico

February 27, 2009

An act to amend Section 86203 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 1412, as introduced, Torrico. Political Reform Act of 1974: gifts.

The Political Reform Act of 1974 permits a lobbyist or lobbying firm, as defined, to make gifts to one person aggregating not more than \$10 in a calendar month.

This bill would prohibit a lobbyist, lobbying firm, or lobbyist employer, as defined, from making any gift to a Member of the Legislature.

Existing law makes a willful violation of the Political Reform Act of 1974 a misdemeanor and subjects offenders to criminal penalties.

This bill would impose a state-mandated local program by creating additional crimes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 86203 of the Government Code is
2 amended to read:
3 86203. (a) It shall be unlawful for a lobbyist, or lobbying firm,
4 to make gifts to one person aggregating more than ten dollars (\$10)
5 in a calendar month, or to act as an agent or intermediary in the
6 making of any gift, or to arrange for the making of any gift by any
7 other person.
8 (b) *Notwithstanding subdivision (a), it shall be unlawful for a*
9 *lobbyist, lobbying firm, or lobbyist employer to make a gift to a*
10 *Member of the Legislature.*
11 SEC. 2. No reimbursement is required by this act pursuant to
12 Section 6 of Article XIII B of the California Constitution because
13 the only costs that may be incurred by a local agency or school
14 district will be incurred because this act creates a new crime or
15 infraction, eliminates a crime or infraction, or changes the penalty
16 for a crime or infraction, within the meaning of Section 17556 of
17 the Government Code, or changes the definition of a crime within
18 the meaning of Section 6 of Article XIII B of the California
19 Constitution.
20 SEC. 3. The Legislature finds and declares that this bill furthers
21 the purposes of the Political Reform Act of 1974 within the
22 meaning of subdivision (a) of Section 81012 of the Government
23 Code.

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